

REMARKS

The Office Action dated November 17, 2005, has been received and carefully considered. In this Reply, claims 1-4, 6-8, 10, 11, 13, 15-25, and 27 are amended. Applicants respectfully submit that the amendments do not add new material and support for the amendments may be found in the specification and drawings as originally filed. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102(e) of claims 1, 14, and 15 as being anticipated by U.S. Patent Number 6,856,638 ("Xu"). Claim 1 is directed to a method and includes determining that a first communication has a higher priority than a second communication. The first communication is associated with a first application, and a second communication is associated with the second application. The prioritization can be directly or indirectly related to the first and second applications. The method in claim 1 may be useful in a distributed computing environment where different applications, including different application specific flows, may be competing with each other for components within the distributed computing environment.

The method in claim 1 can be implemented in a number of different ways, some of which are described to illustrate exemplary, non-limiting embodiments of claim 1. For example, the first communication may be an order being placed using an enterprise's storefront web site application, and the second communication may be an inventory report generated using the enterprise's inventory control application. The order can directly affect potential revenue and profit if completed, whereas the inventory report may be an internal report that does not directly affect revenue or profit. The enterprise may determine that communications that are associated with the storefront web site are to be given higher priority than communications that are associated with the inventory control application. In this example, the prioritization is directly related to the applications.

In another illustrative, non-limiting example, prioritization may be at a finer level, for example, based on application specific flows. The first communication can have first packets that are examined and used to classify the first communication as being associated with an order

using the storefront web site application. The order is an example of an application specific flow of the storefront web site application. The second communication can have second packets that are examined and used to classify the second communication as being associated with an inventory report generated using the inventory control application. The inventory report is an example of an application specific flow of the inventory control application. The enterprise may determine that orders being placed using the storefront web site are to be given higher priority than the inventory report being generated using the inventory control application. In this particular example, the prioritization is based on the application specific stream flows, and thus, the prioritization is indirectly based on the applications.

Continuing with the prior example, a third communication can have third packets that are examined and used to classify the third communication as being associated with a data sheet request for a product available at the storefront web site. The data sheet request can be processed using the storefront web site application. The data sheet request is another example of another application specific flow of the storefront web site application. The enterprise may determine that data sheet requests have lowest priority when compared to orders and inventory reports. In this particular example, the enterprise has a finer level of control, as priority can be based on application specific flows, and not solely on the applications. Thus, the same application may have individual application specific flows, at least one of which is higher than a particular application specific flow of another application, and another of which is lower than the particular application specific flow of the other application.

Xu does not teach prioritization of different communications associated with different applications, wherein the different communications are received from an application infrastructure. Xu teaches a wireless communication system. Xu teaches classifying individual packets as belonging to a control signaling class, a voice frame rate class, a retransmission class, a data class, and an operation, administration, maintenance, and provisioning ("OAMP") class. Xu does not teach prioritizing on the basis of different applications. Thus, Xu does not teach each and every limitation of claim 1. Therefore, Applicants respectfully submit that Xu does not anticipate claim 1. Claim 14 depends from claim 1 and is allowable at least for the reasons as claim 1.

Claim 15 is directed to a data processing system readable medium and includes instructions to determine that a first communication is associated with a first application, determine that a second communication is associated with a second application, and an instruction to determine which of the first communication and the second communication has a higher priority. Xu has been previously addressed. Xu does not teach prioritizing on the basis of different applications. Thus, Xu does not teach each and every limitation of claim 15. Therefore, Applicants respectfully submit that Xu does not anticipate claim 15.

Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a) of 103(a) claims 2-10 and 16-24 as being obvious over Xu in view of U.S. Patent Number 6,717,951 ("Stanton"). Each of claims 2-10 and 16-24 depend directly or indirectly from claim 1 or 15 and are allowable at least for the reasons as claim 1 or 15, as addressed above. Therefore, Applicants respectfully submit that claims 2-10 and 16-24 are not obvious over Xu in view of Stanton.

Applicants thank the Examiner for pointing out allowable subject matter. Applicants have amended claim 25 to become an independent claim that includes limitations from originally submitted claims 15, 17, and 22-25. Thus, the scope of amended claim 25 is no narrower than the scope of originally submitted claim 25. Applicants respectfully submit that, as amended, claims 25 and 26 are allowable. Accordingly, the withdrawal of the objection to claims 25 and 26 is respectfully requested.

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicants believe no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date

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